



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

July 28, 2005

Docket No. 03009049
Control No. 137014

License No. 08-00216-22

Terry A. Johnson, C.H.P.
Radiation Safety Officer
The George Washington University
Office of Research/Health & Technology
2300 I Street, N.W.
Suite 712
Washington, DC 20037

SUBJECT: THE GEORGE WASHINGTON UNIVERSITY, REVIEW OF FINANCIAL ASSURANCE SUBMITTAL, CONTROL NO. 137014

Dear Mr. Johnson:

This is to acknowledge receipt of the financial assurance documents enclosed with the letter dated May 3, 2005, from Barry Dempsey, Director, Risk Management, and Irrevocable Standby Letter of Credit issued May 16, 2005. We have reviewed your current financial assurance mechanisms and the documents you submitted and require the following additional information:

1. a. The Standby Trust Agreement (STA) entered into as of July 27, 1990, refers to the Trustee as "Riggs National Bank." The Irrevocable Standby Letter of Credit issued May 16, 2005, indicates that the issuing institution is PNC Bank, National Association because of a merger between Riggs National Bank and PNC Bank, N.A. Please revise the opening paragraph of the Standby Trust Agreement.
 - b. The second paragraph of the STA and Section 2 needs to be amended to delete references to Part 72. Your license allows licensed activities covered under 10 CFR 30, 40 and 70, but not 10 CFR Part 72.
 - c. Section 5 of the STA, as amended April 12, 1991, indicates, in part, that no withdrawal from the fund can exceed 10 percent of the Fund or \$15,000 dollars, whichever is greater unless NRC approval is attached. Review this statement and make changes, if appropriate.
 - d. The STA was signed by Alexander C. Baker, Senior Vice President of Riggs National Bank. Please submit an amended STA signed and sealed by officers of the University and PNC Bank.
2. The Letter of Acknowledgement executed July 31, 1990, was presented by a Senior Vice President of Riggs National Bank. Since PNC Bank is now the Trustee, a new Letter of Acknowledgement is needed.

T. Johnson
The George Washington University

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3. Please confirm that there have not been any changes to Article VII of the By-Laws of the Board of Trustees of The George Washington University as outlined in the letter dated April 16, 1991, by Cleo Graves, Assistant Secretary. If there are no changes in the By-laws, please provide an updated list of the officers.
4. Please provide a revision to Schedules A, B and C of the Trust Agreement to reflect the increase in the financial assurance instrument from \$150,000 to \$225,000, the change of the trustee from Riggs National Bank to PNC Bank, and any changes in fees.
5. Your letter of October 2, 2002, contained the following documents as enclosures: Certificate of Financial Assurance, Certificate of Resolution, and a Certificate of Events. These documents need to be resubmitted with the following changes:
 - a. The addressee needs to be changed from Riggs National Bank to PNC Bank with the appropriate address on the Certificate of Financial Assurance. Also, your license authorizes licensed activities at 20101 Academic Way, Ashburn, Virginia, so this location needs to be added to the document.
 - b. The Certificate of Resolution needs to have the location at 20101 Academic Way, Ashburn, Virginia added to the document.

Current NRC regulations and guidance are available at the NRC web site at <http://www.nrc.gov/materials/miau/mat-toolkits.html> and <http://www.nrc.gov/who-we-are/governing-laws.html> or by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control No. 137014. If you have any technical questions regarding this deficiency letter, please call Steven Courtemanche at (610) 337-5075.

In order to continue prompt review of your application, we request that you submit your response to this letter within 30 calendar days from the date of this letter.

Sincerely,

Original signed by Steven Courtemanche

Steven Courtemanche
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

DOCUMENT NAME: E:\Filenet\ML052130226.wpd

SISP Review Complete: SRC

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NAME	SCourtemanche/SRC						
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